



100-1397

NOV 29 1973

GSA Declassification/Release Instructions on File

Honorable W. E. Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

This is in reply to your letter of November 6, 1973, with regard to the applicability of section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)), to two public buildings housing various components of the Central Intelligence Agency. Members of my staff met with representatives of the CIA several months ago to discuss the Federal Buildings Fund generally, and specifically its application to the buildings referred to in your letter, and were led to understand that your agency was in agreement that the buildings were subject to the section.

Section 210(d) of the Property Act was added to provide, among other things, for the transfer of buildings funded by appropriations not under the control of GSA. That section authorizes the transfer of the operation, maintenance, and custody of any office building owned by the Government to GSA with the approval of the Director of the Office of Management and Budget.

Prior to completion, Allen W. Dulles, former Director of the CIA, requested GSA to assume all responsibility for the operation, maintenance, repair and improvement of CIA Headquarters Building and to thereafter budget for its cost on a direct appropriation basis. This was concurred in by the then Bureau of the Budget and was consistent with section 210(d) as the Headquarters Building is not a special purpose building and is the type of building over which GSA has traditionally exercised control.

With respect to [REDACTED] GSA files indicate that the property was transferred to this agency as excess and the space was thereafter assigned to the CIA under GSA's space assignment authority. We have no records indicating any transfer of custody to the CIA and further, the cost of operation and maintenance has always been the responsibility of GSA.

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For all of the above reasons, I regret that I am unable to concur in the position taken in your letter. Accordingly, the CIA budget planning for fiscal year 1975 should include the standard level user charge costs for these buildings which have been furnished to your agency.

A copy of this letter is being provided to the Director, Office of Management and Budget.

Sincerely,

A handwritten signature in dark ink, appearing to read "A. Sampson", with a long horizontal line extending to the right.

Arthur F. Sampson
Administrator

1	UNCLASSIFIED	CONFIDENTIAL	SECRET
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EXECUTIVE SECRETARIAT
Routing Slip

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12	D/PPB		X		
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Remarks:

Please highlight for DCI at some future staff meeting.

Executive Secretary

30 November 1973

Date